

Attorney Docket No.: 02-102020US

Client Reference No.: 0151.003

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ANTIBODY DIVERSITY GENERATION** the specification of which    is attached hereto or X was filed on November 1, 2000 as Application No.09/704,469, and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

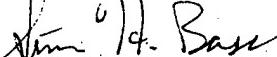
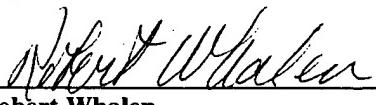
Application No.	Filing Date
60/163,370	November 3, 1999
60/176,002	January 12, 2000

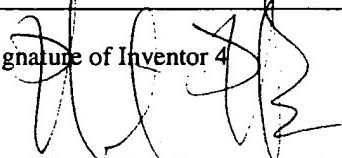
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status

Full Name of Inventor 1:	Full Name: <b>Erik Karrer</b>		
Residence & Citizenship:	City: <b>Redwood City</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	Post Office Address: <b>1462 Gordon Street, #15, Redwood City, California 94061</b>		
Full Name of Inventor 2:	<b>Steven H. Bass</b>		
Residence & Citizenship:	City: <b>Hillsborough</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	Post Office Address: <b>950 Parrott Drive, Hillsborough, CA 94010</b>		
Full Name of Inventor 3:	Full Name: <b>Robert Whalen</b>		
Residence & Citizenship:	City: <b>Foster City</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	Post Office Address: <b>1200 East Hillsdale Boulevard, #108, Foster City, California 94404</b>		
Full Name of Inventor 4:	Full Name: <b>Phillip A. Patten</b>		
Residence & Citizenship:	City: <b>Menlo Park</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>the United States</b>
Post Office Address:	Post Office Address: <b>261 La Cuesta Drive, Menlo Park, California 94028</b>		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>Erik Karrer</b>	Signature of Inventor 2  <b>Steven H. Bass</b>	Signature of Inventor 3  <b>Robert Whalen</b>
Date <b>2/13/01</b>	Date <b>2/13/01</b>	Date <b>2/13/01</b>

Signature of Inventor 4  <b>Phillip A. Patten</b>
Date <b>2.13.01</b>

## COPY FROM PARENT

(Modified) PTO/SB/81 (11-96)  
Approved for use through 6/30/99. OMB 0651-0035**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT, NOT  
ACCOMPANYING APPLICATION**

Application Number	<b>09/704469</b>
Filing Date	<b>N v mber 1, 2000</b>
First Named Inventor	<b>Erik Karrer</b>
Group Art Unit	<b>Unassigned</b>
Examiner Name	<b>Unassigned</b>
Attorney Docket Number	<b>02-102020US</b>

I hereby appoint:

 Practitioners at Customer Number**22798**

Type Customer Number Here

AND

 Practitioner(s) named below:

Name	Registration Number
Norman J. Kruse	35,235
Sharon Fujita	38,459
Joanne Petithory	42,995
Margaret A. Powers	39,804
Timothy L. Smith	35,367

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

 The above-mentioned Customer Number.

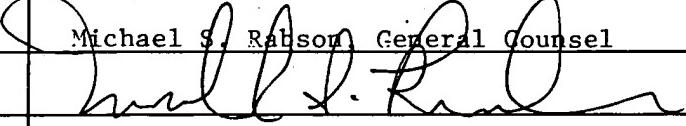
OR

Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the

 Applicant. Assignee of record of the entire interest (*Certificate under 37 CFR 3.73(b) is enclosed*)

SIGNATURE of Applicant or Assignee of Record

Name	Michael S. Rabson, General Counsel
Signature	
Date	February 13, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: March 8, 2001

Typed or printed name	Alexandra Allison
Signature	Alexandra Allison
Date	March 8, 2001

# COPY FROM PARENT

PTO/SB/96 (2-98)

Approved for use through 09/30/2000. OMB 0651-0031

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant: **Erik Karrer, et al.**

Application No.: **09/704,469**

Filed: **November 1, 2000**

Entitled: **ANTIBODY DIVERSITY GENERATION**

**Maxygen, Inc.**

, a

**corporation**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. [ X ] An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

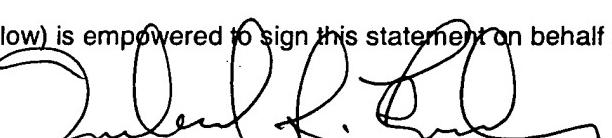
1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet

[X ] Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

February 13, 2001  
Date



Signature

Michael S. Rabson  
Typed or printed name  
General Counsel  
Title



151.31045-199  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
**COPY FROM PARENT**

JUNE 08, 2001

PTAS

LAW OFFICES OF JONATHAN ALAN QUINE  
JONATHAN ALAN QUINE, ESQ.  
P.O. BOX 458  
ALAMEDA, CA 94501



\*101657515A\*

RECEIVED

JUN 13 2001

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

LAW OFFICES OF  
JONATHAN ALAN QUINE

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/13/2001

REEL/FRAME: 011644/0712  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
KARRER, ERIK

DOC DATE: 02/13/2001

ASSIGNOR:  
BASS, STEVEN H.

DOC DATE: 02/13/2001

ASSIGNOR:  
WHALEN, ROBERT

DOC DATE: 02/13/2001

ASSIGNOR:  
PATTEN, PHILLIP A.

DOC DATE: 02/13/2001

ASSIGNEE:  
MAXYGEN, INC.  
515 GALVESTON DRIVE  
REDWOOD CITY, CALIFORNIA 94063

SERIAL NUMBER: 09704469  
PATENT NUMBER:

FILING DATE: 11/01/2000  
ISSUE DATE:

011644/0712 PAGE 2

JEEVON JONES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MKD  
3/13/01

04-06-2001



Attorney Docket No. 02-102020US

FORM PTO-1595  
(Rev. 6-93)

101657515

Sheet

U.S. Department of Commerce  
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Erik Karrer  
 Steven H. Bass  
 Robert Whalen  
 Phillip A. Patten

Additional name(s) of conveying parties attached? No

## 3. Nature of conveyance:

- |                                     |                    |   |
|-------------------------------------|--------------------|---|
| <input checked="" type="checkbox"/> | Assignment         | Merger                                  |
| <input type="checkbox"/>            | Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/>            | Other:             |   |

Execution Date: February 13, 2001

## 4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/704,469

B. Patent No(s):

Additional numbers attached? No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Jonathan Alan Quine, Esq.  
 Law Offices of Jonathan Alan Quine  
 P.O. Box 458  
 Alameda, CA 94501  
 (510) 337-7871

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40.00

 Enclosed       Charge Fees to Deposit Account

X Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 50-0893

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Jonathan A. Quine  
 Name of Person Signing

Atty Reg. No. 41,261

Signature

March 8, 2001  
 Date

Total number of pages including cover sheet, attachments and document

10. Change Correspondence Address to that of Part 5?  Yes  No

OMB No. 0651-0011 ( xp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover to:

Asst. Commissioner for Patents  
 Box: Assignments  
 Washington, D.C. 20231

04/15/2001 AS4MED1 0000064 500893 09704469

01 FEB 2001

40.00 CH

Attorney Docket No.: 02-102020US  
Client Reference No.: 0151.003

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Erik Karrer, of 1462 Gordon Street, #15, Redwood City, CA 94061, Steven H. Bass of 950 Parrott Drive, Hillsborough, CA 94010, Robert Whalen of 1200 East Hillsdale Boulevard, #108, Foster City, CA 94404, Phillip A. Patten, 261 La Cuesta Drive, Menlo Park, CA 94028, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **ANTIBODY DIVERSITY GENERATION**

Filing Date: November 1, 2000

Application No.: 09/704,469; and

WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive, Redwood City, CA 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment  
Application No.:  
Page 2

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 2/13/01

Erik Karrer

Erik Karrer

SIGNATURE WITNESSED BY:

(1) Date: 2/13/01

Diane Schaller

Signature of Witness 1

Dated: 2/13/01

Steven H. Bass

Steven H. Bass

SIGNATURE WITNESSED BY:

(1) Date: 2/13/01

Diane Schaller

Signature of Witness 1

Dated: 2/13/01

Robert Whalen

Robert Whalen

SIGNATURE WITNESSED BY:

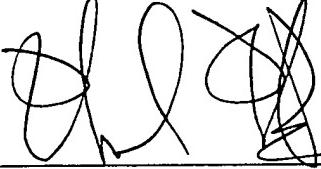
(1) Date: 2/13/01

Diane Schaller

Signature of Witness 1

Assignment  
Application No.:  
Page 3

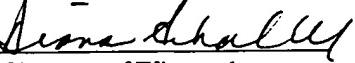
Dated: 2-13-01



Phillip A. Patten

SIGNATURE WITNESSED BY:

(1) Date: 2-13-01



Diana Shalley  
Signature of Witness 1